

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**TERRIE PRUDE**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO. 3:20-CV-279-NBB-DAS**

**COMMISSIONER OF SOCIAL SECURITY**

**DEFENDANT**

**ORDER**

The plaintiff filed this social security appeal on October 20, 2020, and applied for leave to proceed *in forma pauperis*. On February 20, 2021, the magistrate judge issued a report and recommendation that the motion to appeal without payment of costs be denied and this appeal be dismissed. On November 13, 2020, effectively conceding that she did not qualify as a proper appellant, the plaintiff moved to dismiss the appeal, but on December 10, 2020, the plaintiff requested an extension of time in which to pay court costs, advising that she was seeking new counsel in this action. The motion was granted and her time for payment of the filing fees and for having new counsel appear was extended to January 14, 2020. On February 10, 2021, the magistrate judge entered a second report and recommendation that the action be dismissed because the plaintiff had not complied with the orders of the court nor taken further action to prosecute the appeal. The plaintiff has failed to file objections or otherwise responded to the report and recommendation, and the time for doing so has now expired.

“With respect to those portions of the report and recommendation to which no objections were raised, the Court need only satisfy itself that there is no plain error on the face of the record.” *Gauthier v. Union Pac. R.R. Co.*, 644 F. Supp. 2d 824, 828 (E.D. Tex. 2009) (citing *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996)).

The court has reviewed the report and recommendation and finds no plain error on the face of the record. Accordingly, the report and recommendation is ADOPTED as the opinion and order of the court. The appeal is dismissed.

SO ORDERED AND ADJUDGED, this 17th day of June, 2021.

/s/ Neal Biggers  
NEAL B. BIGGERS, JR.  
UNITED STATES DISTRICT JUDGE